REMARKS

Claims 1 to 34 are now pending and being considered.

Reconsideration is respectfully requested for the reasons set forth below.

Claims 11 to 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application 2002/0011925 ("Hahn").

To reject a claim under 35 U.S.C. § 103(a), the Office bears the initial burden of presenting a *prima facie* case of obviousness. *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish *prima facie* obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Also, as clearly indicated by the Supreme Court in *KSR*, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *See KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007). In this regard, the Supreme Court further noted that "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *Id.*, at 1396. Second, there must be a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

While the rejections may not be agreed with, to facilitate matters, independent claims 11 and 18 have been rewritten herein without prejudice to obviate the present rejections. In particular, claim 11 includes the features of *"detecting an object"* and *"detecting at least one of a lane and a course of a roadway"*. Likewise, claim 18 includes the feature of *"a processing module arrangement having a module for detecting at least one of a lane and a course of a roadway, and having another module for detecting at least one object, wherein the two modules operate in parallel."* The specification fully supports these features. (*See specification*, page 7, lines 25 to 30.)

It is respectfully submitted that the "Hahn" reference does not disclose nor suggest the a signaling arrangement and a processing module arrangement having a module for detecting the course of lane and/or a roadway and a module for detecting at least one object, as provided for in the context of the claimed subject matter.

Instead, the object of the "Hahn" reference is merely "to find a method and a device which is suitable for carrying out a method for controlling the attention of an operator of technical equipment." (Hahn, paragraph [0006]). The "Hahn" reference attempts to achieve this objective by "displaying action relevant information in form of images or symbols, the duration of the display of the specific image or symbol lying below a conscious and above an unconscious perception threshold of the operator, and the specific image or symbol being displayed at those locations of the field of vision of the operator at which objects are located to which his/her attention is to be drawn." (*Id.*, paragraph [0008]).

In this regard, the "Hahn" reference refers only to a single device in its implementation of the aforementioned functions. For example, it states that "a device for carrying out the method according to the present invention is composed at least of sensors for sensing at least a subarea of the area surrounding an operator of technical system, of a data processing system, and of a display unit for displaying action-relevant information." (*Id.*, paragraph [0022]). A processing module arrangement for detecting at least one of a lane and a course of the roadway, as provided in the context of the claimed subject matter, as currently presented, is therefore not disclosed nor suggested.

Therefore, claims 11 and 18, as well as their respective dependent claims are allowable.

Accordingly, it is respectfully requested that the obviousness rejections of claims 11 to 34 be withdrawn.

CONCLUSION

In view of the foregoing, all of pending claims 11 to 34 are allowable. It is therefore respectfully requested that the rejections (and any objections) be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

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